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American government was to secure the neutralization of a canal by all the great powers. "À partir de 1870, l'opinion publique aux États-Unis se montra de plus en plus hostile à l'idée d'une garantie internationale. Il fallut trente années et les résultats de la guerre contre l'Espagne, pour que la diplomatie de l'Union réussit à imposer à l'Angleterre une solution purement américaine de la question du canal" (p. 120).

The two Hay-Pauncefote treaties testified to this change of sentiment and policy, and in the second the restraints of the Clayton-Bulwer treaty were at last gotten rid of. Then just as the way seemed clear for a canal under United States sovereignty came the check of a refusal by Colombia to ratify the Hay-Herran agreement. But the revolt of Panama, its recognition as a sovereign state, and its grant of territory and sovereign rights for the construction of a canal at last enabled the Americans to realize their desires.

It is a highly interesting, even dramatic, story as the author tells it. On debatable points he gives fairly the opposing arguments. He shows with great clearness the interdependence of the various events and the actuating motives of British, Americans, Colombians, and the European powers alike.

The third essay, on the intervention of the United States in Cuba, "La Guerre Hispano-Américaine", is not perhaps quite so satisfactory in its treatment of events as the foregoing. It is temperate and fair, does justice to the correct attitude and motives of our government and to the difficulties of its position. On the other hand, it fails to emphasize the fact that continued bad administration was the fundamental cause of Cuban discontent and revolt; nor does the author bring out with sufficient clearness the burden which the policing of its shores and the prevention of filibustering laid upon the United States. He ascribes to the sensational press great, perhaps undue, influence in arousing public sentiment in America. However, the story of the various diplomatic moves in that fateful spring of 1898 is fully and fairly and dramatically told.

The author's authorities for the canal question are Keasbey, Henderson, and Latané, with Wharton's *Digest* and the diplomatic correspondence and presidential messages. Without uncovering new facts or having access to new sources of information, the author gives an exceedingly interesting narrative of the topics discussed, and has put events in such logical sequence as to shed new light upon them in some cases. Then too the foreign point of view is valuable. The book has neither index nor table of contents.

T. S. WOOLSEY.

Lynch-Law: an Investigation into the History of Lynching in the United States. By JAMES ELBERT CUTLER, Ph.D. (New York: Longmans, Green, and Company. 1905. Pp. xiv, 287.)

THE system commonly called lynching is historically worthy of study because it is a retrogression to methods tried out and discredited by the

experience of ages, and a denial of the principles for which our race has been contending ever since the Norman conquest of England. Up to this investigation, with the exception of Mr. Albert Matthews, who has most generously placed his materials at the service of Dr. Cutler, no one has been able to say positively where and when the thing arose. It is plainly not the same as combinations of weak units against the strong and the lawless, such as the *Vehmgericht* in Germany and the Spanish *Hermandad*; such bodies substituted one form of judicial investigation for another; while our American mobs habitually ignore the judge and supplant the jury.

With great skill and an excellent historical method Dr. Cutler has run to earth the origin of the name "lynching", though the thing itself goes back of its christening. He eliminates, after due discussion, a variety of unsatisfactory explanations and comes down to what he is the first to establish as an unquestionable historical fact—that Colonel Charles Lynch of Bedford County, Virginia, was during the Revolution at the head of an uncourteous court which tried Tories and sentenced many of them to a whipping. Thereafter these rude punishments were held to be examples of "Lynch Law". The next step in Dr. Cutler's chain of reasoning is that lynching originally meant a whipping and that it is in comparatively recent times that to lynch a man has come to mean to take his life. Of course, men have often been hanged and occasionally been burned at the stake by mobs ever since the founding of the colonies; nevertheless, till about 1830 "lynching" was a painful but not a fatal punishment.

Having thus worked out the historical origin of this interesting institution, Dr. Cutler next investigates its spread into the West and Southwest during the seventy-five years from the Revolution to the Civil War, including the remarkable manifestations in the "vigilance committees" of California. He disposes of the opinion, sometimes held, that lynching is a peculiarly southern institution: in colonial days and at intervals down to the present time barbarous lynchings have occurred at least occasionally in all sections of the Union. On the other hand Dr. Cutler's laborious examination of 3,337 cases between the years 1882 and 1903 shows that 2,585 of them were in the former slave-owning states, the population of which is twenty-six and a half millions against fifty millions in the rest of the Union; that is, a little over one-third the population has the benefit of nearly four-fifths of the lynchings; while the populous states east of Ohio and north of Maryland can boast of only twelve of these instances.

These figures, based upon the annual summaries of the *Chicago Tribune* (which of course must always fall a little under the actual number), form the basis of an analysis which Dr. Cutler has cast into highly suggestive tables and diagrams. For instance, he shows that in his period of twenty-two years the lynchings have always exceeded the number of legal executions, with the exception of four years; and sometimes have been more than twice as numerous. The efforts to discover

a relation between the lynchings and the months in which they occur, and the proportion of foreigners and illiterates, lead to no very definite result. The lynchings in Texas, for instance, are as numerous in proportion to population as the lynchings in South Carolina, though the illiterates are only two-fifths as many.

An examination into the causes for lynching is much more suggestive and throws a new light upon the relation of lynching to race hostility. Of the 2,585 persons lynched in the South 1,985 were negroes; and we are all perfectly familiar with the statement, repeated by Southern writers and doubtless believed, that practically all these lynchings are for rape, for which it is supposed no legal penalty is sufficiently terrible and sufficiently drastic. As a matter of fact, out of the 1,985 negroes lynched, 783 were charged with murder, 707 or an average of thirty-two a year with rape (to which should be added 109 white men, or five a year, lynched for the same offense); while there are unquestioned cases of lynching of negroes for such crimes as slander, poisoning horses, throwing stones, being troublesome, and slapping a child. All arguments based upon the theory that the practice of lynching negroes is primarily due to rape absolutely disappear in the face of this statistical demonstration that two-thirds of the lynchings of negroes are for quite other and disconnected causes.

Another interesting line of inquiry is as to whether lynching of negroes and the supposed invariable cause did or did not spring up, as most Southern people believe, after the Civil War and as a consequence of granting the suffrage to the negroes. Out of scanty and scattered materials Dr. Cutler has been able to show that hangings, shootings, and occasional burnings were tolerably well-known between 1830 and 1860; although the likelihood that a man charged with a crime would have a fair trial was decidedly greater than it is now.

Upon the sociological question of remedies Dr. Cutler is able to throw less light, though he does bring out clearly that the anti-lynching statutes have had little or no effect. He sums up his conclusions on that subject by saying (p. 265) that he "has been able to obtain no information which would warrant the statement that as many as twenty-five persons have been convicted of a crime and punished for participating in the lynching of over three thousand persons in the last twenty-two years." The real difficulty is that the rough and ready frontier spirit, for which there was some justification in an unorganized community infused with desperadoes, has remained or rather has rearisen in thickly populated states and cities which in most respects observe the law.

To note small defects or to suggest other problems that might have been included would be possible; but the main impression made by the book is one of skill and sagacity in choice of topics, in the relation of the parts of the book, in thoroughgoing examination of the material, in original methods of dealing with and exhibiting first-hand material, in sane and moderate conclusions. The book is not only henceforth the

authority on the subject, it is also a good example of a rational and scientific historical method.

ALBERT BUSHNELL HART.

MINOR NOTICES

The *Annual Report of the American Historical Association* for 1904 occupies but one volume, of 708 pages. That which most strikes the reviewer is that it contains, out of eighteen sections, but three which belong to the class, usually so abundant in these annual reports, of monographs based on new researches and adding to the sum of historical knowledge in matters of fact. Two of these are excellent. Mr. W. R. Manning's paper on "The Nootka Sound Controversy", which won the Justin Winsor Prize, is a thorough, solid, careful piece of work, based on researches in European archives, and setting right for the first time the history of an important episode. It is well written, and shows a clear head, not only for the transactions immediately in hand, but also for the larger matters of European diplomacy and international relations which were involved. Mr. I. J. Cox's briefer account of the Hunter-Dunbar and Freeman explorations of the Washita and Red rivers in 1804-1806 is also competent and clear. The campaign of 1824 in New York, the history of which is essayed by Mr. C. H. Rammelkamp, is plainly a subject of a different sort. The never-ending political struggles in New York, which give the grave pages of Hammond so quaint a resemblance to those of Cardinal de Retz, are like eternal rounds of whist. Doubtless it will not do to dismiss them scornfully, after Milton's manner with the wars of the Heptarchy, as "battles of the kites and crows". Doubtless a writer of genius could lift one of them to a higher level than that of the obvious surface phenomena, or discern a conflict of ideas somewhere behind the ignoble squabble. Doubtless he could give it unity and make its story instructive. But Mr. Rammelkamp has not done so.

The volume also contains the reports of the Chicago meeting and of the discussions held in its subsections, the presidential address of Professor Goldwin Smith, and three suggestive and sometimes profound papers by the three eminent foreign historians who were present on that occasion: that of Professor Païs "On Roman History", that of Professor Keutgen "On the Necessity in America of the Study of the Early History of Modern European Nations", and that of Professor Milyoukov on "The Chief Currents of Russian Historical Thought". But much the greater part of the volume is occupied with businesslike reports or papers on topics related to the methods or materials of historical work. There is no report from the Historical Manuscripts Commission. The Public Archives Commission presents reports on the state archives of Alabama and Kansas, and on local archives in Georgia and North Carolina, together with a list of the contents of the printed *Pennsylvania Archives*; while Mr. Worthington C. Ford describes in an